

ORDINANCE NO. 45-953

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2002-00074

Request for zone change from "LI" Limited Industrial to "SF-5" Single-family Residential on property described as:

Lots 1-3, Block A, and Reserve A, Barefoot Bay Estates Addition. Generally located south of 29th Street North and east of Ridge Road.

SUBJECT TO PLATTING WITHIN ONE-YEAR AND THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS P. O. #122:

1. If developed with a residential use, the density of the subject property shall be limited to 3 dwelling units on no more than 3 lots.
2. Each lot shall have no more than one dock per lot with no more than one slip per dock. Thus, there will be no more than three docks on the subject property. The owner(s) of each lot shall follow the procedures for dock approval that are applicable to other owners of lots in the Barefoot Bay Owners' Association, and will be subject to the same standards and conditions that have been applied to such other owners of the lots who have docks (with the exception that no dock can have more than one slip);
3. Maximum of one watercraft per lot on the lake at one time;
4. If consented to by the Barefoot Bay Owners' Association, the lots in the subject property shall share a total of two votes on Association and Lake Rule changes, or as otherwise agreed to from time to time between the owner(s) of the subject property and the Barefoot Bay Owners' Association.

5. If consented to by the Barefoot Bay Owners' Association, the subject property shall be subject to "Covenants, Conditions, and Restrictions of Barefoot Bay" as recorded on Film 1479, Pages 0204-0230, and amendment thereto, or as otherwise agreed to from time to time between the owner(s) of the subject property and the Barefoot Bay Owners' Association.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS December 16, 2003.

Carlos Mayans, Mayor

ATTEST:

Karen Schofield, City Clerk
(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney